

REMARKS

Applicant acknowledges receipt of the Office Action dated May 7, 2007, in which the Examiner rejected claims 1-7, 9 and 11 as anticipated by Tran et al. (US 7182141) and indicated that claims 8, 10, and 12-19 would be allowable if rewritten in independent form. Claim 20 was indicated to be allowable.

Claims indicated to be allowable

Applicant thanks the Examiner for his consideration of the claims. Applicant agrees with the Examiner that claims 8, 10, 12-19 would be allowable if rewritten in independent form.

As discussed in detail below, claims 8 and 12 have been placed in independent form, incorporating the limitations of the claims from which they formerly depended.

Applicant has not amended claim 10, but submits that it is nonetheless allowable for the reasons set out below.

Amendment to Claim 5

Claim 5 has been amended to depend from claim 1 because, upon consideration, the scope of amended claim 5 is closer to Applicant's original intent. Because claim 5 depends from claim 1, applicant submits that it is allowable for at least the reasons set out below with respect to claim 1.

§ 102 Rejection of claims 1-7, 9 and 11

In support of the rejection of claims 1-7, 9 and 11 as anticipated by Tran, the Examiner states that "Tran discloses in figure 4 a radially, retractable, integral, expander segments (416) providing a tapered, uniform, expansion section in a tubular element (120) having a coinciding contact section (300) arranged to prevent axial motion of the expander in the tubular." Because the contact section is a portion of the expander section in the embodiment illustrated in the present specification, the claim as originally filed recited that the contact section had diameter larger than said first inner diameter when the expander was in the radially retracted mode. However, as recognized by the Examiner, the contact section need not be formed by the expansion section.

Applicant nonetheless submits that the present invention is distinguishable over the teachings of Tran. Tran teaches the use of a carrying section 300, which supports the lower tubing string while the expander tool 400 operates to join the lower tubing string to the upper tubing string. Once the lower tubing string is hung, carrying section 300 is retracted and is not used again. In contrast, the contact section of the claimed device, is used repeatedly during the series of expansion cycles. After the claimed expander has expanded a section of tubing, it advances to the adjacent section. The claimed contact section serves to prevent the expander from advancing too far. Thus, a contact section that can retract to a diameter that is smaller than the unexpanded diameter of the inner tubular (as shown in Figure 6 of Tran) would be inoperable in the presently claimed device.

To more particularly emphasize this distinction, claim 1 has been amended to require that the “expander comprises a contact section of a diameter larger than said first inner diameter when the contact section is in the radially retracted mode” (emphasis added). Support for this amendment can be found in the Figures as filed. It would not be obvious to modify the device of Tran to be within the scope of the present claim, because the carrying section 300 of Tran would not be functional if it could not retract enough to release itself from the unexpanded portion of the lower tubing string. For all of these reasons, Applicant respectfully submits that claim 1 is allowable over the art of record.

Conclusion

In view of the foregoing, Applicants believe that all of the claims are in condition for allowance and favorable consideration by the Examiner is requested. Should the Examiner find any impediment to the prompt allowance of the claims that can be corrected by telephone interview, the Examiner is requested to initiate such an interview with the undersigned.

Respectfully submitted,
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